IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3166 OF 2004
IN
FIRST APPEAL NO.170 OF 2002

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

CORAM : P.V.KAKADE,J.

DATE : 8th OCTOBER, 2004

P.C.:

1. Heard both sides. Perused the record.

2. First Appeal is already admitted. It is alleged by the Applicant that the Respondent No.3 has started construction on the suit property though the rights of the Applicants are involved in the said land.

3. After hearing both the parties it was agreed that Civil Application can be disposed of with direction that the construction made or intended to be made by Respondent No.3 on the suit property shall be subject to final decision in the appeal which is pending before the Court.

4. It is clarified that the Respondent No.3, in case the appeal is allowed, shall not claim equity in any manner whatsoever.

5. With these directions the application stands disposed of.